

Universal File Case Number 58D-WF-172862-1A1

Field Office Acquiring Evidence _____

Serial # of Originating Document _____

Date Received 5/3/94

From _____

(Name of Contributor)

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To Be Returned ☐ Yes ☒ No

Receipt Given ☐ Yes ☒ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

☐ Yes ☒ No

Title:

b6
b7C

Reference: _____

(Communication Enclosing Material)

Description: ☐ Original notes re interview of

Color photographs* of
check # 948.

*color film sent to Bureau, FD-352's 5/10/94 made.
copies & negatives delivered to WMFO 5/26/94
to SA RER



948

4-20 1990 $\frac{68-424}{560}$ 049

PAY TO THE
ORDER OF

Donald Lukens

\$ 1500.⁰⁰

b6

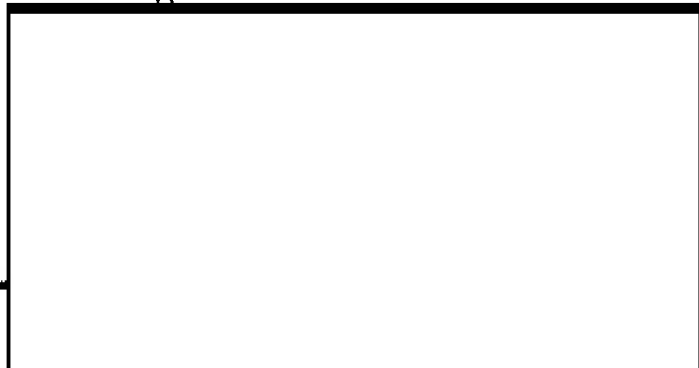
b7C

One Thousand Five Hundred dollars ⁰⁰/₁₀₀-DOLLARS

FIRST AMERICAN BANK

FIRST AMERICAN BANK OF VIRGINIA
MCLEAN, VIRGINIA 22102

MEMO *Personal Loan*



D. E. Lukens
472.5

4 8 0 5 6

7/10/94 10:00

10:00 12:00

)

REC
FBI
5/1/94

CLEVELAND POLICE RECORD ROOM

Date 5/3/91

☐ Birth ☐ Credit ☒ Criminal ☐ Death ☐ INS ☐ Marriage* ☐ Motor Vehicle ☐ Other _____
☐ Driver's License

To	[Redacted]	Buded
Return to	SA [Redacted]	File number 58-WF-172862

Name and aliases of subject, applicant, or employee, and spouse

Donald Earl "Buz" Lukens,

b6
b7C

Addresses

Residence _____

Business _____

Former _____

* Date and place of marriage
(if applicable) _____

Race	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Age	Height	Weight	Hair	Eyes
------	---	-----	--------	--------	------	------

Birth date <u>2-11-31</u>	Birthplace	
Arrest Number	Fingerprint classification	Criminal specialty

Specific information desired	Social Security Number
------------------------------	------------------------

Results of check

NO LOCAL RECORD
(BASED ON INFORMATION PROVIDED)

CLEVELAND POLICE DEPARTMENT
RECORD FILE SECTION

ARREST RECORD ONLY - NO DISPOSITIONS

SEARCH MADE BY [Signature]
NO CHECK MADE NATIONALLY

Cuyahoga County Sheriff's Office

Date 5/3/91

☐ Birth ☐ Credit ☒ Criminal ☐ Death ☐ INS ☐ Marriage* ☐ Motor Vehicle ☐ Other _____
☐ Driver's License

To _____ Buded _____
Return to _____ b6 _____
Name and aliases of _____ b7C file number _____
_____ 58-WF-172862
_____ and spouse _____

Donald Earl "Buz" Lukens,

Addresses

Residence _____

Business _____

Former _____

* Date and place of marriage _____
(if applicable)

Race	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Age	Height	Weight	Hair	Eyes
------	---	-----	--------	--------	------	------

Birth date <u>2-11-31</u>	Birthplace
------------------------------	------------

Arrest Number	Fingerprint classification	Criminal specialty
---------------	----------------------------	--------------------

Specific information desired	Social Security Number
------------------------------	------------------------

Results of check

NO RECORD

SHERIFF'S OFFICE
CUYAHOGA COUNTY
BY M. [Signature]
5-9-91

Cleveland Police Identification Div.

Date 5/3/91

☐ Birth ☐ Credit ☒ Criminal ☐ Death ☐ INS ☐ Marriage* ☐ Motor Vehicle ☐ Other ☐ Driver's License

To	Buded
Return to	File number
<u>SA [redacted]</u>	<u>58-WF-172862</u>

Name and aliases of subject, applicant, or employee, and spouse
Donald Earl "Buz" Lukens, b6
b7C

Addresses

Residence _____

Business _____

Former _____

* Date and place of marriage (if applicable) _____

Race	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Age	Height	Weight	Hair	Eyes
Birth date <u>2-11-31</u>	Birthplace					
Arrest Number	Fingerprint classification			Criminal specialty		
Specific information desired						Social Security Number

Results of check

NO RECORD
POLICE

DATE _____
BY _____

(Mount Clipping in Space Below)

Contractor accused of bribing Lukens

By KATHERINE RIZZO

ASSOCIATED PRESS WRITER

WASHINGTON

A Cleveland-based federal contractor trying to preserve his government business bribed then-Rep. Donald "Buz" Lukens with \$5,500, according to an indictment unsealed yesterday.

The 16-count indictment in U.S. District Court in Alexandria, Va. charges Edward Krishack of Wickliffe with giving an illegal gratuity to a public official; embezzling from his company's employee pension fund; obstruction of justice; false claims; and conspiracy.

Lukens, R-Ohio, was not indicted on any charge.

Assistant U.S. Attorney Justin Williams said the investigation is continuing.

Krishack was arrested yesterday and was being held in Cleveland pending a Monday hearing in U.S. District Court for the Northern District of Ohio.

A person who answered the phone last night at Krishack's home, who identified himself as a grandson, said, "There is nothing to be said about it."

The government alleges that Krishack, while president of a construction contracting company,

Holk Development Inc., made illegal payments to Lukens.

It also accuses Krishack of embezzling \$17,412 from the company pension fund, and forcing an employee to write a false letter claiming that she loaned money to Lukens.

Krishack, according to the indictment, later threatened that employee.

Krishack's company did \$9.4 million worth of business with the Pentagon and General Services Administration between 1987 and 1989, the Justice Department said. Part of the indictment alleges that he submitted false claims for some of that work.

Krishack's company lost the contract in 1989, and he turned to Lukens in an attempt to get the contract awarded to another company overturned, the department said.

Lukens left Congress in 1990 after being arrested for having sex with a teen-aged girl.

(Indicate page, name of newspaper, city and state.)

Cleveland Plain Dealer

Date:

4/8/94

Edition:

Contractor accused of bribing Lukens

Character:

or

Classification:

Submitting Office:

Indexing:

CP

58D-WF-172862-36

SEARCHED	INDEXED
SERIALIZED	FILED
APR 8 1994	
FBI - CLEVELAND	

(Mount Clipping in Space Below)

POLICE/COURTS

Dealer - 4/13/94

"It's an unfortunate situation," Widen said. "He made a mistake."

Wickliffe businessman allowed to make bail

CLEVELAND — A Wickliffe businessman charged with bribing former Rep. Donald (Buz) Lukens was expected to post bail and be released from jail today, his lawyer said.

Federal prosecutors had sought to keep Edward R. Krishack, 56, in jail pending trial because he allegedly threatened a witness, a former employee of his company, Holk Development Inc.

But U.S. Magistrate Jack B. Streepy yesterday issued an order saying Krishack could be released by posting 10% of a \$200,000 bond and pledging his home.

Streepy barred Krishack from having any contact "either directly or indirectly" with the witness as a condition of his bail.

Krishack was arrested Thursday at his home. He and his company are charged with paying \$5,500 to Lukens in 1989 and 1990 while Lukens was a Congressman in an effort to regain a Pentagon construction contract the company had lost to another contractor.

Timothy J. Potts, Krishack's lawyer, has said Krishack denies both the bribery and witness intimidation allegations.

(Indicate page, name of newspaper, city and state.)

Cleveland Plain Dealer

Date:

4/13/94

Edition:

4/13/94

Title:

Wickliffe businessman - make bail

Character:

or

Classification:

Submitting Office:

58D-WF-172862

Indexing:



58D-WF-172862-41

SEARCHED INDEXED
SERIALIZED FILED

APR 22 1994

b6
b7C

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 5/24/94

TO : DIRECTOR, FBI
 ATTN: PUBLIC CORRUPTION UNIT

FROM : ADIC, WMFO (58D-WF-172862) (C-20, NVMRA) (P)

SUBJECT : [REDACTED] ET AL;
 CFPO - FEDERAL BRIBERY;
 (OO:WMFO)

b6
 b7C

Re WMFO 4/14/93 airtel to Bureau and 4/22/93 telcall of SA [REDACTED] to SSA [REDACTED] FBIHQ Public Corruption Unit, CID.

In retelcall, SSA [REDACTED] stated that CID Assistant Director LARRY A. POTTS, on 4/22/93, granted approval to interview Congressman JOHN CONYERS, Jr., as requested in reairtel. CONYERS is Chairman of the House Government Operations Committee.

PURPOSE: To request update of Bureau approval for interviews of Congressman JOHN CONYERS, JR. and member(s) of his staff involved in contacts by then-Congressman DONALD LUKENS on behalf of [REDACTED] and/or Holk Development Inc.

DETAILS: Captioned investigation is a joint investigation with the Defense Criminal Investigative Service of HOLK DEVELOPMENT INC. (HDI) and it's president [REDACTED] who has been charged in a sixteen count indictment with Conspiracy, Giving Gratuity to a Public Official, False Claims, Obstruction of Justice, and Pension Fraud. Charges have arisen out of HDI contracts for construction work performed at the Pentagon in Arlington, Virginia.

b6
 b7C

2-Bureau
 ①-WMFO
 DTG:dtg
 (3)

Approved: AED [Signature]

Transmitted

(Number) (Time)

Per

58D-WF-172862-168

SEARCHED INDEXED
 SERIALIZED FILED

MAY 31 1994

58D-WF-172862

The Gratuity charge stems from the alleged payment of \$5,500 by [] to LUKENS after HDI lost its contract at the Pentagon. When interviewed, LUKENS acknowledged setting up a meeting between [] and CONYERS.

CONYERS will be asked whether or not he attended a meeting, arranged by LUKENS, with [] or other representatives of HDI, and if so, what transpired during that meeting.

The United States Attorneys Office (USAO) for the Eastern District of Virginia (EDVA) has been in contact with CONYERS office in an effort to set up an interview with CONYERS.

b6
b7C

After some negotiating with CONYERS office, Special Assistant United States Attorney [] tentatively agreed that the interview would be conducted by [] and another AUSA from the EDVA with an FBI Agent present who would not report the results of the interview in an FD-302.

[] Chief of the Criminal Division, USAO, EDVA, advised on 4/20/94, that he [] would contact CONYERS office and advise them that the USAO believes there is no reason to deviate from standard procedures regarding FBI investigative reporting practices and that an Agent should be present to participate in the interview and report the results in an FD - 302.

The interview has been arranged and is tentatively set for 5/25/94 at 11:00 AM.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/31/94

On 5/17-20/94, writer obtained receipts and disbursements reports from the Federal Elections Commission (FEC) for DONALD E. LUKENS and his opponents for the Congressional primaries and elections for 1988-1990. These reports were furnished to Special Assistant United States Attorney,

b6
b7C

Investigation on 5/17-19/94 at WASHINGTON, D. C. File # 58D-WF-172862 - 172
by SA Date dictated 5/31/94

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 6/14/94

TO : SAC, DALLAS
 ATTN. SA [REDACTED] WCC-2)

FROM : ADIC, WMFO (58D-WF-172862) (NVRA, C-20) (P)

SUBJECT : [REDACTED] ET AL;
 CFPO - FEDERAL BRIBERY;
 OO: WMFO

b6
 b7C

RE: 6/14/94. telcall from SA [REDACTED]
 WMFO to SA [REDACTED]

Enclosed for DL is a copy of a trial subpoena issued from the Eastern District of Virginia for DONALD E. "BUZ" LUKENS requiring his presence on for trial on June 21, 1994.

Two original copies of trial subpoena and photo of LUKENS are being sent to DL under separate cover as per referenced telcall.

DL is requested to serve LUKENS the enclosed subpoena at his residence located at: 5444 Peterson Lane, #1035, Dallas, Texas 75240, telephone number (214) 702-9159. LUKENS may become a defendant at a later time in this investigation and may try to avoid service.

Captioned investigation is a joint investigation with the Defense Criminal Investigative Service of HOLK DEVELOPMENT INC. and it's president [REDACTED] who has

b6
 b7C

Enclosures (1)

2 - DALLAS
 ① - WMFO
 DTG:dtg
 (3)

Approved: AEO/R

Transmitted

(Number) (Time)

Per

JUN 16 1994

58D-WF-172862-179
 SEARCHED INDEXED
 SERIALIZED FILED

58D-WF-172862

been charged in a sixteen count indictment with Conspiracy,
Giving Gratuity to a Public Official, False Claims,
Obstruction of Justice, and Pension Fraud.

The Gratuity count in the indictment charges that
[REDACTED] made illegal payments to LUKENS in 1989-90, in return
for assistance in pursuing a government contract.

b6
b7C

LUKENS is further described as follows:

NAME: DONALD E. "BUZ" LUKENS

DOB: FEBRUARY 11, 1931

HGT: APPROX. 5' 10"

WGHT: APPROX. 170 LBS

HAIR: BROWN/GRAY

LEAD:

DALLAS, AT DALLAS, TEXAS:

Serve enclosed subpoena on DONALD E. "BUZ" LUKENS
at the above address.

C-20

FBI

TRANSMIT VIA:

☒ Teletype
☐ Facsimile
☐ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☒ UNCLAS

Date 6/16/94

FM FBI WMFO (58D-WF-172862) (P)

TO DIRECTOR FBI

BT

UNCLAS

CITE: //3920//

PASS: SSA [REDACTED] PUBLIC CORRUPTION UNIT, FBIHQ

SUBJECT: [REDACTED] ET AL; CFPO - FEDERAL

BRIBERY;OO:WMFO

b6
b7CARMED AND DANGEROUS

[REDACTED] IS CONSIDERED ARMED AND DANGEROUS BECAUSE OF A 1983 WICKLIFFE, OHIO POLICE REPORT WHICH INCLUDED STATEMENTS THAT HE THREATENED A UNION STEWARD WITH A GUN AND AIMED A REVOLVER AT UNION MEMBERS. [REDACTED] IS CONSIDERED ARMED AND DANGEROUS BECAUSE A HANDGUN WAS LOCATED IN HIS DESK DRAWER DURING A 1991 SEARCH OF HIS OFFICE.

58D.WF172862-183
SEARCHED INDEXED
SERIALIZED FILED

JUN 21 1994

Approved: AED/ [Signature] Original filename:

Time Received: Telprep filename: h400350.168

MRI/JULIAN DATE: 1073 1168 ISN: 011

FOX DATE & TIME OF ACCEPTANCE: 6-17-94 SLH 11:36

^PAGE 2 (WMFO 58D-WF-172862) (UNCLAS)

ON APRIL 5, 1994, A FEDERAL GRAND JURY RETURNED A SIXTEEN COUNT INDICTMENT AGAINST [REDACTED] IN CAPTIONED MATTER. OFFENSES CHARGED WERE CONSPIRACY, GIVING GRATUITY TO PUBLIC OFFICIAL, FALSE CLAIMS, OBSTRUCTION OF JUSTICE, AND THEFT OR EMBEZZLEMENT FROM PENSION FUND. AN ARREST WARRANT WAS ISSUED AND [REDACTED] WAS SUBSEQUENTLY ARRESTED ON APRIL 7, 1994, AT HIS RESIDENCE, [REDACTED] WICKLIFFE, OHIO, BY [REDACTED] THE CLEVELAND DIVISION. b6 b7C

[REDACTED] WAS INDICTED ON APRIL 5, 1994 AND TRIAL HAS BEEN SET FOR JUNE 21, 1994. THE GRATUITY CHARGE IN THE INDICTMENT STEMS FROM PAYMENTS MADE BY [REDACTED] THROUGH HIS EMPLOYEES TO THEN-CONGRESSMAN DONALD LUKENS.

FOR INFORMATION OF THE BUREAU, DONALD EDGAR "BUZ" LUKENS SERVED IN THE U. S. HOUSE OF REPRESENTATIVES FROM 1967-1971 AND 1987-1990. THE LATTER TERM ENDED WHEN HE RESIGNED AFTER HIS CONVICTION FOR CONTRIBUTING TO THE DELINQUENCY OF A MINOR.

DURING 1989-1990, FOUR CHECKS PAYABLE TO THEN-CONGRESSMAN BUZ LUKENS, TALLING \$5,500.00, WERE WRITTEN BY TWO PERSONS THEN EMPLOYED BY HOLK DEVELOPMENT, INC., (HDI).

^PAGE 3 (WMFO 58D-WF-172862) (UNCLAS)

INVESTIGATION HAS DETERMINED THESE CHECKS WERE WRITTEN AT THE
DIRECTION OF HDI PRESIDENT [REDACTED] AND THE

EMPLOYEES WERE REIMBURSED FOR THE AMOUNTS OF THE

b6
b7C

CHECKS BY [REDACTED] NEITHER OF THE EMPLOYEES WHO WROTE THE
CHECKS PAYABLE TO LUKENS HAD A RELATIONSHIP WITH LUKENS WHICH
WOULD HAVE BEEN THE BASIS FOR A GIFT OR LOAN TO HIM.

AT A HEARING ON JUNE 10, 1994, U. S. DISTRICT COURT JUDGE
ALBERT V. BRYAN JR., EASTERN DISTRICT OF VIRGINIA (EDVA),
REFUSED TO ORDER IMMUNITY FOR FORMER CONGRESSMAN LUKENS AS A
WITNESS IN THE TRIAL.

A TRIAL SUBPOENA WAS ISSUED BY THE USDC, EDVA, FOR LUKENS
TO APPEAR TO TESTIFY AT TRIAL. LUKENS WAS SERVED WITH THE
SUBPOENA ON 6/15/94 AT HIS RESIDENCE IN DALLAS, TX.

ARMED AND DANGEROUS

NATIONAL BRIEFS

Gift fund? Not yet, Clintons say

By AP Staff Writers

WASHINGTON

President Bill Clinton and first lady Hillary Clinton said today they would not accept a gift fund from the Clinton Foundation, a charity they created to help the poor in Africa. The couple said they would not accept the fund because it would be too difficult to manage and they would not want to be seen as accepting a gift from a foreign government. The Clinton Foundation was created in 1992 and has since received donations from a number of foreign governments, including the United Kingdom and the Netherlands. The couple said they would not accept the fund because it would be too difficult to manage and they would not want to be seen as accepting a gift from a foreign government.

The disappearance of two white men, Andrew Gooden and James Chaney, in 1964, led to the passage of the Civil Rights Act. The men were killed by a mob in Mississippi. The case was one of the most famous civil rights cases in American history. The men were killed by a mob in Mississippi. The case was one of the most famous civil rights cases in American history.

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Lukens says he won't testify in bribe case

ALEXANDRIA, Va.

Donald Lukens, a former Virginia state legislator, said today he would not testify in a federal bribery case against him. Lukens was charged with bribing a state legislator to secure a contract for a construction project. Lukens said he would not testify because he was innocent and he did not want to be seen as a witness in a case against him.

Donald Lukens, a former Virginia state legislator, said today he would not testify in a federal bribery case against him. Lukens was charged with bribing a state legislator to secure a contract for a construction project. Lukens said he would not testify because he was innocent and he did not want to be seen as a witness in a case against him.

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FBI said to turn to mob to solve case

NEW YORK

Reported in trying to solve

Donald Lukens, a former Virginia state legislator, said today he would not testify in a federal bribery case against him. Lukens was charged with bribing a state legislator to secure a contract for a construction project. Lukens said he would not testify because he was innocent and he did not want to be seen as a witness in a case against him.

Area woman key witness in bribery case

Indicate page, name of newspaper, city and state.

Date: 6-11-94
Edition: Observer Reporter
Page C-1

Character:
or
Classification:
Submitting Office:

BY KATHERINE RIZZO
THE ASSOCIATED PRESS

ALEXANDRIA, Va. — Former Rep. Donald Lukens won't be offered immunity when he is subpoenaed to testify about payments he received in his last year in office.

A former Pentagon contractor is scheduled to go on trial June 21 on a variety of charges, including paying bribes to Lukens.

Lukens, who resigned in disgrace in 1990, has not been charged. But the Ohio Republican was named as an unindicted co-conspirator.

A federal judge on Friday rejected an immunity request from the contractor's lawyers, who

want Lukens to testify as a defense witness.

Contractor Edward Krishack of Wickliffe, Ohio, and his company, Holk Development Inc., contend Lukens was given \$5,550 as a loan, not a bribe.

"We believe if he testifies consistently with his FBI interview... (Lukens) will very clearly exonerate Mr. Krishack," argued lawyer Brian Shaughnessy.

Lukens told investigators that the money "was clearly a loan, a small part of the \$35,000 to \$40,000 he owed to a number of people," according to a pre-trial motion filed by the defense.

Holk Development gave money to Lukens through third parties.

Employees wrote personal checks to the congressman and then were reimbursed with company checks.

At the time — late 1989 and early 1990 — Holk Development had done some \$10 million worth of renovation and asbestos removal work at the Pentagon and was fighting to keep its government business.

Lukens had problems of his own then. He had been convicted of contributing to the delinquency of a minor and was being investigated by the House ethics committee.

Lukens subsequently was defeated in the May 1990 primary and did not serve his entire term, choosing to resign when the House ethics committee opened a new in-

vestigation of allegations that he fondled a Capitol elevator operator.

In addition to the charges of giving illegal gratuities to a public official, Krishack and the company were charged with embezzling from the company pension fund, threatening a witness, bilking taxpayers and conspiracy.

In court on Friday, Shaughnessy attacked the credibility of Mary Bradley, the witness Krishack is accused of threatening.

The lawyer said Bradley, a former Holk employee who cooperated with prosecutors and wore a wiretap for about a year to help collect evidence against her boss, had a sexual relationship with a

Pentagon official but told the grand jury the two of them were merely friends and business associates.

"She testified and lied," Shaughnessy told the court. "They were sleeping together. This was not necessarily the end of the world. However, it does impact not just on their credibility but the manner in which this prosecution was put together."

U.S. District Judge Albert V. Bryan Jr. replied that questions about witnesses' credibility could be addressed during trial cross-examination.

Bradley, reached at her home in Washington, Pa., said she was truthful with the grand jury.

Bradley confirmed she had the sexual relationship with the Pentagon official but said she mostly considered him to be a friend. The grand jury never asked whether they had a physical relationship, she said.

"Why would I volunteer that?" she said. "They can make a big deal out of it if they want to. I'm not lying."

"If he wants to rake me over the coals, make me cry, whatever he's going to try to do to me, he can just do it."

Bradley is an important witness because she wrote some of the checks to Lukens and prepared paperwork submitted to the Pentagon that the government alleges was fraudulent.

580 WF 172862-1185

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 17 1994	
FBI — WASH. METRO FIELD OFFICE	

Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

Date: 6-12-94
Edition: Washington Post
Page A 4
Title:

Character:
or
Classification:
Submitting Office:

Indexing:

No Immunity for Ex-Lawmaker Lukens

Associated Press

A federal judge has refused to order immunity for former representative Donald E. "Buz" Lukens (R-Ohio) as a witness in the trial of a former Pentagon contractor accused of bribing the congressman.

Lukens, who resigned in disgrace in 1990, has not been charged with any wrongdoing but was named as an unindicted co-conspirator when the contractor was accused of giving Lukens illegal payments of \$5,500.

Contractor Edward Krishack of Wickliffe, Ohio, and his company, Holk Development Inc., contend the money was given to Lukens as a loan, not a bribe.

Krishack's lawyers told U.S. District Judge Albert V. Bryan Jr. in Alexandria that Lukens should be given immunity from prosecution so that he could testify that he expected to do no favors in exchange for the money.

Lukens told investigators the money "was clearly a loan, a small part of the \$35,000 to \$40,000 he owed to a number of people," according to a pretrial motion filed by the defense.

"We believe if he testifies consistently with his FBI interview ...

[Lukens] will very clearly exonerate Mr. Krishack," argued lawyer Brian Shaughnessy.

But the judge was unswayed. "I'm unwilling to require immunity of any of the defense witnesses," Bryan said Friday.

Holk Development gave money to Lukens through third parties—employees who were told to write personal checks to the lawmaker and then were reimbursed with company checks.

In addition to the charges of giving illegal gratuities to a public official, Krishack and the company were charged with embezzling from the company pension fund, threatening a witness, bilking taxpayers and conspiracy.

58D-WF-172862-186

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 17 1994	
FBI — WASH. METRO FIELD OFFICE	

Trial Begins in Va. Tomorrow of Ohio Man Charged With Bribing Ex-Rep. Buz Lukens

Cleveland Contractor Krishack Was Allegedly Attempting to Win Back Pentagon Work

By Peter H. Spiegel

A Cleveland-area contractor goes on trial tomorrow in an Alexandria, Va., federal court for allegedly bribing former Ohio Rep. Donald "Buz" Lukens (R) in 1989 and 1990 in an attempt to keep a federal contract from going to a competitor. Lukens is unlikely to testify in the trial after US District Judge Albert Bryan on June 10 denied a defense motion to grant the four-term immunity.

DC attorney Brian Shaughnessy, the lawyer for indicted contractor Edward Krishack, said last week that he had hoped to have Lukens testify that the \$5,500 in pay-

ments was intended as a loan and did not have any effect on Lukens's work. Congress.

"We had reviewed the FBI reports of his interview and Lukens had denied accepting a gratuity," Shaughnessy told Roll Call, adding that the records also showed that Lukens "had passed, conclusively, a lie detector test on that matter."

Shaughnessy said Lukens was now likely to invoke his Fifth Amendment right against self-incrimination. If Lukens does so, Shaughnessy said he is unlikely to call the former Congressman to stand.

Lukens was not charged in the bribery

case, but law enforcement officials told the Cleveland Plain Dealer at the time of the April Krishack indictment that their investigation was continuing.

Lukens, a former ranking member of the Government Operations subcommittee on employment and housing, resigned in disgrace in 1990 after losing the GOP primary to then-state Rep. John Boehner.

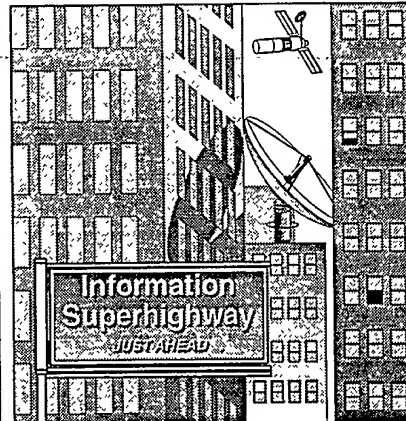
At the time, Lukens, who had already been convicted of contributing to the delinquency of a minor for having sex with a 16-year-old in 1988, was under investigation by the House ethics committee for al-

legedly fondling a Capitol elevator operator.

Krishack was president of Holk Development Inc., a Cleveland-area contracting firm that did \$9.4 million in renovation work at the Pentagon from 1987 to 1989 but did not get the contract extended in 1989.

The indictment alleges that in an attempt to get the contract back, Krishack ordered two unnamed Holk employees to write four personal checks to Lukens, in amounts of \$2,000, \$1,000, \$1,500, and \$1,000. The employees were then reimbursed by Holk, the indictment charges. Holk did not win back the contract.

**Roll Call
Policy
Briefing
Monday
June 27**



Telecommunications

**Advertising
space
reservations
due**

Among the topics

**Overview of Reform
Issues**

Cable Rates

**Telephone and Cable
TV Competition**

Among the writers

**Reed Hunt, chairman, Federal
Communications Commission**

**Sen. Pat Leahy (D-Vt.), chairman, Judiciary
subcommittee on technology and the law**

**Rep. Rick Boucher (D-Va.), member,
Energy and Commerce subcommittee on
telecommunications and finance**

Rep. John Bryant (D-Texas), chairman

Mfume Ascends To JEC, Briefly

By Karen Foerstel

Rep. Kweisi Mfume (D-Md) this week takes the reins of the Joint Economic Committee from Rep. David Obey (D-Wis), who has chaired the panel for two years.

Obey in March took over as chairman of the Appropriations Committee prior to the death of Rep. William Natcher (D-Ky).

Obey must give up his chairmanship of the Joint Economic Committee under Democratic Caucus rules, which prohibit the chair of a full committee from simultaneously heading any other full, select, or joint committee.

The Joint Committee is expected to meet today or tomorrow formally to name Mfume as chair.

Mfume, who will become the fourth African-American this Congress to chair a full committee, will lead the panel only through the end of this year.

The committee rotates its chairmanship every two years between the House and the

*Mfume becomes the
fourth African-American
this Congress to chair
a full committee.*

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P R O C E E D I N G S

--

J E F F R E Y A L B R E C H T, called as a witness
by the United States, being first duly sworn,
testified upon his oath as follows:

DIRECT EXAMINATION

BY MR. DWORSCHAK:

Q Mr. Albrecht, can you state your full name,
please?

A Jeffrey Brian Albrecht.

Q How is your last name spelled?

A A-l-b-r-e-c-h-t.

Q Where do you live, Mr. Albrecht?

A 4470 South 36th Street in Arlington.

Q How are you currently employed?

A I'm a manager.

Q Mr. Albrecht, could you turn the microphone so it's
easy for you.

Thank you.

Mr. Albrecht, prior to your current position, did
you work as a staffer for the U.S. House of Representatives?

A Yes, I did.

Q When did this employment begin?

A I began working for the House of Representatives in
April of 1987, part-time.

Q At this time, were you assigned to a specific Congressman?

A Yes, I was employed by Mr. Lukens in his district office.

Q That's Donald E. Lukens?

A Yes.

Q Does he have a nickname?

A "Buz".

Q When you first began working for Congressman Lukens, was this in his D.C. office or his home office?

A It was in his Middletown District office.

Q What state was that in?

A Ohio.

Q Did you later become a full-time staffer for Congressman Lukens?

A Yes, I did subsequently, beginning in June of 1987.

Q What kind of work did you do for Mr. Lukens?

A I did perform case work.

Q What does that consist of?

A Basically, when constituents would have problems and come into the office to request help, I would be the individual that would meet with him on behalf of the Congressman.

Q Mr. Albrecht, as part of your employment with

1 Congressman Lukens, did you eventually move to Washington,
2 D.C.?

3 A Yes, I did. In February of 1988, I transferred to
4 his Washington office as a legislative assistant.

5 Q You worked as a legislative assistant for
6 Congressman Lukens until when?

7 A It would have been through March or April of '89.

8 Q And what happened in April of '89?

9 A I was -- went to work on the House Government
10 Operations Committee Staff.

11 Q Why did that happen in April of '89?

12 A Mr. Lukens had become the ranking Republican member
13 on the Employment and Housing Subcommittee of the House
14 Government Operations Committee.

15 And the Committee protocol is that any ranking
16 member on the subcommittee may choose a staffer who will
17 work on the Committee staff on behalf of the Member.

18 Q Mr. Albrecht, you mentioned that you were assigned
19 the Government Operations Committee.

20 What does this Committee do?

21 A Under House rules, the Government Operations
22 Committee was established basically to examine the economy
23 and efficiency of the federal government.

24 Q At the time that you became a staffer in April of
25 '89 on this Committee, who was the Committee Chairman?

1

A The Chairman was Mr. John Conyers.

2

Q Do you know where he is from?

3

A I believe the Detroit, Michigan area.

4

Q Do you know which political party he belongs to?

5

A Yes, the Democrat party.

6

Q What party was Congressman Lukens?

7

A He was at that time the Republican party.

8

Q Do you know, Mr. Albrecht, does the Government

9

Operations Committee ever hold hearings?

10

A Yes.

11

Q What does a hearing consist of?

12

A A hearing just consists of calling one or more

13

witnesses on a particular matter.

14

Q Do you know who, on the Government Operations

15

Committee, decides whether or not hearings should be

16

held?

17

A The subcommittee chairman which would be Democrat

18

Members which would also include Mr. Conyers.

19

Q Mr. Albrecht, as part of your work as a

20

professional staffer for the House Government Operations

21

Committee, did you ever have a contact with Edward R.

22

Krishack?

23

A Yes, I did.

24

Q When did this take place?

25

A I believe that we had first spoken in the Fall of

1 1989 regarding some problems that he had alleged were taking
2 place with the Department of Defense.

3 Q Do you recall, Mr. Albrecht, this first contact you
4 had with Mr. Krishack, was this face-to-face or over the
5 phone?

6 A I believe that we had spoken over the phone the
7 first time I came in contact with him.

8 Q Was there a follow-up contact to this phone
9 conversation?

10 A Yes. Subsequently we had met for lunch at his
11 suggestion to discuss his problems.

12 Q Do you know how long after this phone call the
13 face-to-face meeting took place?

14 A It would have been within a relatively short span
15 of time, probably within the next week to two weeks.

16 Q Now, this second contact with Mr. Krishack, did you
17 have lunch together?

18 A Let me back up.

19 The first contact being the telephone call, the
20 second contact being lunch.

21 Q The second contact being face-to-face, yes?

22 A Yes.

23 Q Where was this conducted at?

24 A At Anton's Loyal Opposition which was at that time
25 a restaurant on Capital Hill.

1 Q Do you know, Mr. Albrecht, was that your choice or
2 Mr. Krishack's for Anton's?

3 A That was his choice.

4 Q Did you discuss over this lunch at Anton's with Mr.
5 Krishack the problems he was having?

6 A Yes. Basically he had indicated to me a number of
7 areas, one being an issue of prompt payment in that his
8 company had completed construction work at the Pentagon
9 facility which had been approved. However, the Department
10 of Defense was lax in paying for that work.

11 Also he had indicated that there were a number of
12 projects that his construction company had completed at
13 D.O.D. that were being disputed by the Department of
14 Defense.

15 A third area that comes to mind, he alleged that
16 employees in the Procurement Office at D.O.D. were trying to
17 steer contracts to another construction firm and to cut his
18 company out of the business.

19 Q Mr. Albrecht, do you know why Mr. Krishack brought
20 this to your attention?

21 MR. SHAUGHNESSY: Your Honor, I object.

22 THE COURT: Sustained.

23 MR. DWORSCHAK: Thank you, Your Honor.

24 THE WITNESS: I --

25 THE COURT: You don't have to answer. There's no

1 question pending.

2 THE WITNESS: Would you repeat the question,
3 please?

4 BY MR. DWORSCHAK:

5 Q Mr. Albrecht, after you had this lunch with Mr.
6 Krishack, did you take any action in response to the things
7 he talked to you about?

8 A I initially had made a telephone call to the
9 Department of Defense to inquire into his allegations about
10 prompt payment for completed work that had been approved.

11 Q Mr. Albrecht, did Mr. Krishack ever ask you to send
12 out a letter for him?

13 A Yes, he did. At one point he had furnished a
14 draft letter which he had requested for the -- he had asked
15 that the Committee send this letter to the Department of
16 Defense.

17 Q Did Mr. Krishack tell you how he wanted that letter
18 to go out?

19 A Yes, he wanted it to go out under Committee
20 stationery.

21 Q And do you recall what Mr. Krishack wanted that
22 letter to say?

23 A I believe that the content was demanding
24 explanations concerning allegations that he had made about
25 improper procurement practices at D.O.D.

1 Q Did you comply with his request to issue this
2 letter on Committee letterhead?

3 A Certainly not.

4 It's not common practice for people who are coming
5 to Congress to tell Congress how to carry out their
6 oversight function.

7 Q Did you tell Mr. Krishack that you couldn't comply
8 with his request?

9 A Yes.

10 Q What did he say to you, do you remember?

11 A I really don't recall.

12 Q Besides the contacts you mentioned, Mr. Albrecht,
13 did you have any other phone calls with Mr. Krishack?

14 A Yes, I would have spoken with him at least two or
15 three more times, minimally, to discuss details of his
16 allegations.

17 Q And once you compiled all of the information and
18 all the details as to Mr. Krishack's allegations, what did
19 you do with this information?

20 A Basically common procedure for the staff, once you
21 have identified potential problems and there seems to be any
22 merit whatsoever to any of the allegations, we would proceed
23 and then ask for investigation from the D.O.D. Inspector
24 General's Office.

25 Q Do you know, was a D.O.D. I.G., Department of

1 Defense Inspector General, investigation ever opened on this
2 matter?

3 A At the time there was an ongoing investigation by
4 the D.O.D. I.G.'s office that had been requested by a
5 Senator.

6 Q And as part of this D.O.D. I.G. investigation, did
7 you provide any input that Mr. Krishack had given you
8 previously?

9 A Yes. The Committee had asked that the I.G.'s
10 office look into some additional areas when conducting their
11 investigation.

12 Q Mr. Albrecht, as part of your work on this matter,
13 did you coordinate with an individual by the name of
14 Sherille Ismail?

15 A Yes.

16 Q Who was Mr. Ismail?

17 A He served as a professional staff member on the
18 Democrat side of the Committees.

19 Q And as part of your contact with Mr. Krishack, did
20 Mr. Krishack ever give you the name of Lyle Williams?

21 A Yes.

22 Q How do you know that?

23 A Lyle Williams was somebody that I was told knew
24 more specifics concerning the problems that Mr. Krishack's
25 company was facing and could give me more detail.

1 Q Did you ever contact Mr. Williams?

2 A Yes, I did.

3 Q How did you contact him?

4 A I telephoned him.

5 Q What did the two of you discuss?

6 MR. SHAUGHNESSY: Your Honor, I'm going to object.

7 THE COURT: Sustained.

8 Don't get into hearsay, Mr. Dworschak, you know
9 better than that.

10 MR. DWORSCHAK: Yes, Your Honor.

11 THE COURT: Let's move along.

12 BY MR. DWORSCHAK:

13 Q Mr. Albrecht, did Lyle Williams ever give you a
14 copy of his business card?

15 A Yes, he did.

16 Q How did you receive that, do you know?

17 A I don't recall at this time, but it was either
18 through the mail as an enclosure or at a meeting, but I
19 again have no memory of ever having met him.

20 Q Mr. Albrecht, I'm passing up to you what has been
21 marked as Government Exhibit 109 and 110.

22 Mr. Albrecht, turning your attention first to
23 Exhibit 109, do you recognize that document?

24 A Yes, that was Mr. Williams' business card that I
25 had received.

1 THE COURT: Any objection to it?

2 MR. SHAUGHNESSY: No, sir.

3 THE COURT: Okay, it's admitted.

4 MR. DWORSCHAK: Thank you, Your Honor.

5 BY MR. DWORSCHAK:

6 Q Is there a handwritten annotation in the upper
7 right-hand corner of that business card?

8 A Yes.

9 MR. SHAUGHNESSY: Your Honor, I object to any
10 inscription on it.

11 THE COURT: I will sustain you unless --
12 Did you make the inscription?

13 THE WITNESS: Yes, I did.

14 THE COURT: Overruled.

15 MR. SHAUGHNESSY: Withdrawn.

16 BY MR. DWORSCHAK:

17 Q What does the inscription say?

18 A 11-89, which would be November 1989.

19 Q What does that annotation indicate to you?

20 A It was my common practice on anything I would put
21 in my Rolodex, to date it at the time I put it in and/or to
22 subsequently update it, so that I would know whether it was
23 current or not.

24 Q Mr. Albrecht, turning your attention to April 24,
25 1990, on that day did you receive a phone call from Mr.

1 Williams?

2 A Yes, I did.

3 Q Where did you receive this phone call?

4 A At the Committee offices.

5 Q Did the phone caller identify himself?

6 A Yes.

7 Q And how did he identify himself?

8 MR. SHAUGHNESSY: Your Honor, I'm going to object
9 to hearsay.

10 THE COURT: Sustained as hearsay.

11 MR. DWORSCHAK: Your Honor, may counsel approach
12 briefly?

13 THE COURT: Yes.

14 (At the bench.)

15 THE COURT: What is his answer going to be?

16 MR. DWORSCHAK: Mr. Albrecht is going to testify
17 about a conversation which he had with Lyle Williams on
18 April 24, 1990. He is going to testify in this conversation
19 Mr. Williams told him that himself, Lyle Williams, Donald E.
20 Lukens, John Conyers, and Ed Krishack all met and discussed
21 the Holk Development problem.

22 THE COURT: You're offering him as part of the
23 conspiracy?

24 MR. DWORSCHAK: Yes, Your Honor.

25 I do that because on April 13, 1990 that was the

1 check that Mickey Bradley testified yesterday was given to
2 Lyle Williams.

3 MR. SHAUGHNESSY: I object. This is complete
4 hearsay. There is no nexus. I object very much.

5 THE COURT: I'm going to overrule you.

6 Whether there's a conspiracy here yet or not
7 remains to be seen.

8 Do you want me to give a limiting instruction to
9 the jury or not?

10 MR. SHAUGHNESSY: Well, no.

11 THE COURT: I'd just say this only comes in, in the
12 event they show a conspiracy in this case.

13 MR. SHAUGHNESSY: Yes, I would like that.

14 THE COURT: Then I will give that.

15 MR. SHAUGHNESSY: I would like very much if this
16 stuff comes in, I certainly intend to move for a mistrial as
17 I will later but I will keep my comments --

18 MR. DWORSCHAK: Your Honor, if I may, while we
19 have all counsel present, I should also inform the Court
20 that the other exhibit now before Mr. Albrecht is a phone
21 memo which he made during the course of that phone call with
22 Mr. Williams, a copy which had been provided to defense
23 counsel.

24 (Open court.)

25 THE COURT: Mr. Albrecht is going to testify to a

1 conversation he had with Mr. Williams. You consider this
2 only if the government proves a conspiracy in this case and
3 that Mr. Williams was part of that conspiracy, as well as
4 the defendants.

5 BY MR. DWORSCHAK:

6 Q Mr. Albrecht, you mentioned this phone conversation
7 you were having with Lyle Williams on April 24, 1990.

8 What did Mr. Williams tell you in this
9 conversation?

10 A Mr. Williams had indicated that he, along with
11 H.D.I., which was Holk Development, Incorporated, a
12 representative from the company, and Mr. Lukens had met with
13 John Conyers, the Chairman of the Government Operations
14 Committee. And they had discussed the problems that Mr.
15 Krishack's company was having with D.O.D.

16 Q During this phone call, did Mr. Williams tell you
17 when this meeting took place?

18 A Yes, he had mentioned that it had taken place on
19 April 19th.

20 Q That's 1990?

21 A Yes. He had also indicated that he was going to be
22 meeting with Julian Epstein, who served as the
23 Chief-of-Staff for the Government Operations Committee.

24 Q Mr. Albrecht, while you were talking on the phone
25 to Lyle Williams, did you make any record of your

1 conversation?

2 A Yes, I did.

3 I had made a notation on a piece of paper about the
4 content of our conversation.

5 Q What kind of piece of paper did you use?

6 A It was a yellow 3M sticky note.

7 Q Is it your regular practice, Mr. Albrecht, to make
8 that kind of a phone record when you're talking on the
9 telephone?

10 A Yes.

11 With any investigation that I would work on, all
12 calls regarding a particular case --

13 THE COURT: Do you have any objection to 110?

14 MR. SHAUGHNESSY: If it is in his handwriting, I
15 have no objection.

16 THE COURT: Okay.

17 It's in.

18 BY MR. DWORSCHAK:

19 Q Item Number 110, which is now before you, is that
20 your handwriting, Mr. Albrecht?

21 A Yes, it is.

22 MR. DWORSCHAK: May I display a copy to the jury,
23 Your Honor?

24 THE COURT: Very well.

25 BY MR. DWORSCHAK:

1 Q Mr. Albrecht, what I now have on the easle, does
2 this match Number 110 currently in your hand?

3 A Yes, it does.

4 Q You appear to use some abbreviations on this note.

5 I'd like for you to sort of walk through this,
6 phrase-by-phrase, and, if you could, explain to the jury
7 what each of these entries mean.

8 A Okay.

9 Q First of all, in the upper left-hand corner, what
10 is that numerical reference you have?

11 A 4/24, it would be April 24, 1990.

12 Q What does that indicate?

13 A The date that conversation took place with Mr.
14 Williams.

15 Q What does the rest of the top line say?

16 A Lyle Williams called.

17 Q And the following line, what does that say?

18 A Conyers, H.D.I.

19 Q What is H.D.I.?

20 A It would be referring to Holk Development.

21 Q And the next line?

22 A Lyle Williams, comma.

23 Q And the next line?

24 A D.E.L.

25 Q Who is D.E.L.?

1 A Donald E. Lukens.

2 Q And the rest of that line?

3 A Met on 4/19 which would be April 19, 1990.

4 Q And the next three lines you wrote?

5 A Williams will meet with Julian this, or next week.

6 Q And Julian being?

7 A Julian Epstein, the Chief-of-Staff for the
8 Committee.

9 Q Thank you.

10 Mr. Albrecht, as part of your job as being a
11 staffer, did you brief Mr. Lukens on the status of matters
12 before this Committee?

13 A Yes, I did.

14 Q On this matter, on the Krishack matter, how often,
15 if at all, did you brief Mr. Lukens on this?

16 A I would have briefed Mr. Lukens concerning any
17 developments with the investigation, and this would have
18 occurred, you know, on an as-needed basis.

19 Q Did Mr. Lukens seem interested in this matter?

20 A Yes.

21 Q Did you also brief Congressman Horton on this
22 issue?

23 A Yes. Congressman Horton was the ranking Republican
24 Member on the House Government Operations Committee, and,
25 technically, I reported to him as well as to Mr. Lukens.

1 And so he held weekly staff meetings, at which time
2 I would have mentioned anything that I would have been
3 working on.

4 Q Do you recall, did you brief Mr. Lukens or Mr.
5 Horton more often on this matter?

6 A Mr. Lukens.

7 Q And why was that?

8 MR. SHAUGHNESSY: Your Honor, I'm going to object
9 to that, "why".

10 THE COURT: I'm going to overrule you.

11 Go ahead.

12 THE WITNESS: I would have reported more often to
13 Mr. Lukens because he was the Member that seemed to be
14 interested in this particular investigation. And also
15 because I was also directly responsible to him.

16 BY MR. DWORSCHAK:

17 Q Finally, Mr. Albrecht, are you familiar with where
18 Congressman Lukens' district is located?

19 A Where it was, yes.

20 Q And are you also familiar with where Mr. Krishack
21 is from?

22 A Yes.

23 Q I'd like to show you a map, if I could.

24 Can you identify what this map depicts?

25 A The State of Ohio.

1 MR. DWORSCHAK: Your Honor, could the witness come
2 down and mark on the map for a moment, please?

3 THE COURT: All right.

4 You may step down.

5 BY MR. DWORSCHAK:

6 Q Mr. Albrecht, if you could, roughly indicate on
7 this map, please, where Congressman Lukens' district was
8 located at the time you worked for him?

9 A The map isn't very clear.

10 (Indicating.)

11 Q That's the western part of Ohio?

12 A Yes.

13 Q Would you also mark for us, as you understand it,
14 where Mr. Krishack is from?

15 A Yes, Cleveland.

16 Q You may return to your seat, please.

17 As far as you know, Mr. Albrecht, was Mr. Krishack
18 a constituent of Mr. Lukens during the time that you were
19 involved in this matter?

20 A No.

21 MR. DWORSCHAK: No further questions, Your Honor.

22 THE COURT: Cross-exam?

23 Mr. Bell, do you want to move that for them?

24 CROSS-EXAMINATION

25 BY MR. SHAUGHNESSY:

1 Q Now, sir, you were the Republican Staff Member for
2 the Subcommittee or the Committee on Government
3 Operations?

4 A Officially, the Committee.

5 Q I see.

6 And what did you primarily attend to?

7 A My main responsibilities dealt with the Employment
8 and Housing Subcommittee.

9 Q Housing and what?

10 A Employment-related issues.

11 Q I see.

12 Now, sir, you said that you had a meeting with Mr.
13 Krishack in which he informed you of the difficulties he was
14 having; is that correct?

15 A Yes.

16 Q How -- did he call you up and make that
17 meeting?

18 A I had spoken to him initially on the telephone. I
19 don't know how that conversation took place, whether it was
20 he that had called me or I who had called him. And he, I
21 believe, had suggested during that initial conversation that
22 we meet further to discuss this.

23 Q Now, did Mr. Lukens direct you to do anything with
24 respect to the -- that is, having this meeting and all of
25 that?

1 A I don't know.

2 Q Now, you said also that there was a Mr. Epstein
3 involved.

4 He was the Majority staffer; was he not?

5 A He was the Chief-of-Staff for the Majority, yes.

6 Q And that he, in effect, controlled the Committee
7 that Mr. Conyers, Representative Conyers, was the chief of;
8 is that correct?

9 A Yes.

10 Q Now, isn't it a fact that Representative Conyers
11 had taken an interest in this Krishack matter?

12 A It appears so, yes.

13 Q And, in fact, the Krishack complaints had merit;
14 did they not? That is to say, there was a basis for them,
15 whatever the ruling would come?

16 A I believe that there was a basis on the prompt
17 payment issue. However, the Inspector General's final
18 report had found a number of the allegations without merit.

19 Q So that there was an investigation, it was a
20 merited investigation, but the Inspector General didn't rule
21 with Mr. Krishack; is that correct?

22 A Could you rephrase that?

23 Q That is, he investigated it. He saw sufficient in
24 there to investigate; is that correct?

25 A Any time a member of Congress would request that

1 the Inspector General's office look into something, they
2 would do so.

3 Q And that's what Representative Conyers did; is that
4 correct?

5 A I don't believe that Mr. Conyers had requested an
6 I.G. investigation.

7 Initially, at the time I had been contacted by
8 Mr. Krishack, there was an ongoing I.G. investigation which
9 initially had been requested, I believe, by Senator Dixon.

10 Q Dixon of Illinois?

11 A I don't recall what state.

12 Q And that had already been requested and the
13 investigation had commenced; is that correct?

14 A Yes.

15 Q And that was independent of anything that anyone
16 on the Government Ops Committee had initiated; is that
17 correct?

18 A Yes.

19 Q Now, you have referred to this conversation in
20 which you say that Mr. Williams called -- you say that Mr.
21 Williams called and that he had explained that there had
22 been a meeting with Representative Conyers and somebody from
23 Holk?

24 A Yes.

25 Q And Lyle Williams himself. And you have D.E. or

1 B.L. here and you --

2 A D.E.L., which would be --

3 Q -- Mr. Lukens?

4 A Mr. Lukens.

5 Q And they had met.

6 Had you known of that meeting before Mr. Williams
7 called you?

8 A No.

9 Q Now, it says here, Williams will meet with Julian.
10 This was the Chief-of-Staff; was it not, to the Government
11 Ops Committee?

12 A Yes.

13 Q And he was the one that you needed to talk to in
14 order to get to Mr. Conyers; is that correct?

15 A Correct.

16 Q And you noted also on this conversation that Mr.
17 Conyers is interested; is that correct?

18 A Yes. That's my personal notation.

19 Generally, that would indicate that Mr. Conyers was
20 interested in listening to the problems.

21 Q And this was the important part of the
22 conversation. Obviously the conversation went on for some
23 time and you have only a few notes on that sticky --

24 A The last --

25 Q -- is that right?

1 A -- three lines are my own observations, not the
2 conversation.

3 Q And did you distill that from the conversation or
4 did you seek elsewhere to find that information?

5 A I would have discerned that Mr. Conyers was
6 interested from the conversation.

7 Q All right.

8 And so that, that is what you put, Conyers is
9 interested; is that correct?

10 A Yes.

11 Q Did Williams say that in any way that Lukens was
12 going to meet with this Julian?

13 A Not that I'm aware of. My only recollection is the
14 note that I had taken.

15 Q All right.

16 And from what he described, Williams described, in
17 your awareness of what was going on up there and the people
18 involved, you concluded that Conyers is interested; is that
19 correct?

20 A Yes.

21 Q Now, it is not unusual for people to call up
22 Congressmen or Senators and ask for investigations into
23 things that they think merit investigations; is that
24 correct?

25 A Correct.

1 Q You get a number of calls, some of them crank, some
2 of them with merit; is that correct?

3 A Yes.

4 Q And even though a person is not your
5 constituent, if it affects something that the committee
6 on which you are serving, or the Representative is serving,
7 that is something that will be listened to and
8 scrutinized, and, if there is any merit, pursued further; is
9 that correct?

10 A More or less, yes.

11 Q That is, you have a special responsibility to
12 your constituents because -- that is, you, the
13 Representative, wants to get reelected. So a minor problem
14 for a constituent is important to a Congressman; is that
15 correct?

16 A Yes.

17 Q However, if there is some systemic problem, that
18 is, a problem that affects the oversight of that Committee,
19 even though the person is not a constituent, if he brings
20 this merited complaint, it will be looked into; is that
21 correct?

22 A Generally, yes. If there is time or if it's
23 something that the Committee sees that is of any importance
24 to what their mission is, yes.

25 Q And, indeed, when you identified where Mr. Krishack

1 came from on that chart, Senator Dixon is not the elected
2 Senator from that area; is that correct?

3 A Correct.

4 Q That is, he is from an entirely different state; is
5 that correct?

6 A Yes.

7 Q And he had already initiated --

8 A Yes.

9 Q -- this investigation?

10 A Yes.

11 Q At that time, as a general proposition, Mr. Lukens
12 was in some difficulty; is that not so? He had been
13 convicted of a personal problem in, I believe, June of 1989;
14 is that correct?

15 A I don't recall the exact time frame. There was a
16 personal scandal on his behalf, yes.

17 Q And this continued for some little time; did it
18 not?

19 A Correct.

20 Q And, indeed, it led to his resignation prior to the
21 expiration of his term; is that correct?

22 A Yes.

23 Q And, indeed, it was precipitated by his loss of the
24 primary; is that correct? Or at least part of it was?

25 A He --

1 Q He had lost the primary, previously.

2 A He didn't resign because he lost the primary. No,
3 that is not correct.

4 Q What did he resign for?

5 MR. DWORSCHAK: Objection, Your Honor, this witness
6 can't know that.

7 THE COURT: Do you know?

8 THE WITNESS: I believe that there was some scandal
9 at that time which caused him to resign.

10 THE COURT: Okay.

11 Well, I'll sustain the objection.

12 MR. SHAUGHNESSY: All right.

13 BY MR. SHAUGHNESSY:

14 Q Was there an additional scandal besides the one
15 that he was convicted for?

16 A Yes.

17 Q Did it involve some other young lady?

18 A I don't know about the particular woman or lady
19 involved, but it did involve another individual, yes.

20 Q When did that occur, if you know?

21 A It would have been shortly before he resigned.

22 Q As a result of these difficulties that Mr. Lukens
23 had, was he generally avoided, or did he have some -- did
24 people sometimes have reluctance to be associated with him?

25 A Who specifically? Do you mean people in general?

1 Q Congressmen, particularly.

2 A I really did not spend much time in his personal
3 office. But generally, when somebody would be under these
4 circumstances, it would be normal for people to avoid him to
5 a certain extent.

6 Q That is, they didn't want to get tarred by the same
7 brush; is that it?

8 A Well, any time there's somebody who is considered
9 slightly disreputable, would you want to spend time with
10 them?

11 Q I suppose not.

12 MR. SHAUGHNESSY: Thank you.

13 MR. DWORSCHAK: Just one question, Your Honor.

14 THE COURT: Yes.

15 REDIRECT EXAMINATION

16 BY MR. DWORSCHAK:

17 Q Mr. Albrecht, Mr. Shaughnessy asked you about your
18 receipt of normal phone calls and crank phone calls.

19 The phone call you got from Lyle Williams, any
20 indications to you that was a crank phone call?

21 A No, none whatsoever.

22 Mr. Williams was a former Member of Congress, and
23 so one would assume that anything that he would contact me
24 about would be genuine.

25 MR. DWORSCHAK: No further questions, Your Honor.

1 Request the witness be excused.

2 THE COURT: Any objection?

3 MR. SHAUGHNESSY: Your Honor, I just have a couple
4 of things.

5 THE COURT: All right. Go ahead.

6 MR. SHAUGHNESSY: It's a little beyond the
7 redirect, if I may?

8 THE COURT: Go ahead. Do you want to call him as
9 your witness for this?

10 Go ahead.

11 DIRECT EXAMINATION

12 BY MR. SHAUGHNESSY:

13 Q You didn't carry any bribes from Mr. Krishack or
14 anything of that nature --

15 A No, sir.

16 Q -- to Mr. Lukens or anybody; is that right?

17 A No.

18 MR. SHAUGHNESSY: Thank you.

19 THE COURT: Okay. He is excused then.

20 All right, sir.

21 (Witness excused.)

22 THE COURT: Call your next witness, please.

23 --

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I N D E X

Witnesses called by the United States:

<u>Name</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
Jeffrey Albrecht	2	20	29	

Witnesses called by the Defendant

<u>Name</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
Jeffrey Albrecht	30			

1 This is to certify that the foregoing 25 pages are
2 a true and correct transcription of my stenotype notes of
3 the proceedings had on June 23, 1994, in the case of:

4 United States of America

5 vs.

6 Holk Development, Inc., et al.

7 Cr. No. 94-125-A.

8 This 13th day of July, 1994..
9
10
11

12 Esther W. Sumner
13 OFFICIAL COURT REPORTER
14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF VIRGINIA
16
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25

Cleveland Plain Dealer
6/24/94

best copy available

Witness tells of loan from Ohio man

By KATHERINE WIZZO

ALEXANDRIA, Va.

A witness told a federal grand jury in Alexandria, Va., that he saw a man in a dark suit and a woman in a light-colored dress standing in a room, possibly a hotel, in the early 1980s. The man was holding a briefcase and the woman was holding a bag. They were both looking at each other and smiling.

The witness said he saw the man and woman in a room in the early 1980s. He said he saw the man in a dark suit and the woman in a light-colored dress. They were both looking at each other and smiling.

The witness said he saw the man and woman in a room in the early 1980s. He said he saw the man in a dark suit and the woman in a light-colored dress. They were both looking at each other and smiling.

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58D-WF-172867-193

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☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 7/13/94

C-20

TO : ADIC, WMFO (58D-WF-172862) (NVRA, C-20) (P)
 FROM : SAC, DALLAS (58D-WF-172862) (WCC2) (RUC)
 SUBJECT :
 ET AL;
 CFPO - FEDERAL BRIBERY;
 OO: WMFO

Reference June 14, 1994 WMFO airtel.

Enclosed for WMFO is the executed copy of a trial subpoena issued from the Eastern District of Virginia for DONALD E. "BUZZ" LUKENS.

b6
b7C

LUKENS was located at his place of residence, 5444 Peterson Lane, Apartment 1035, Dallas, Texas 75240, on the evening of June 14, 1994, and was served with this subpoena. LUKENS was instructed to direct any questions to Special Assistant United States Attorney (SAUSA), or Assistant United States Attorney (AUSA), telephone number

A review of records in the manager's office at the apartment where LUKENS lives determined that LUKENS possesses Ohio driver's license number QE848912 and is assigned Social

UCFN	<input checked="" type="checkbox"/> Pos	<input type="checkbox"/> Neg	ns
GENERAL INDICES:			
<input checked="" type="checkbox"/> Automated Search	(1) 1/18		
2- WMFO			
2F- Dallas	<input type="checkbox"/> Pos	<input type="checkbox"/> Neg	AX: <input type="checkbox"/> Pos <input type="checkbox"/> Neg
JSK/eh			
<input type="checkbox"/> Manual Search	(4)		
WF:	<input type="checkbox"/> Pos	<input type="checkbox"/> Neg	AX: <input type="checkbox"/> Pos <input type="checkbox"/> Neg

58D-WF-172862-194
 H
 LAF
 LAF

Approved: DBR 1/18

Transmitted

(Number) (Time)

Per

58D-WF-172862

~~Security Account Number (SSAN) 286-28-8739. LUKENS is
employed by MONITOR MORTGAGE COMPANY, telephone number (214)
386-9391.~~

Dallas considers this matter RUC.

Cleveland Plain Dealer
7/15/94

best copy available

Contractor acquitted in bribery trial

By KATHERINE RIZZO

ALEXANDRIA, V

$$\eta/\pi |G_T - QV|_{\text{max}}$$

[Faint handwritten notes at the bottom of the page]

1. The following is a list of the names of the persons who were arrested on the 1st of June, 1964, at the Federal Prison, New York, New York, and who were held in custody for a period of 30 days, and who were then released on bond.

last Friday the jury sent
in a verdict saying it was dead-
weight of the conspiracy count
and the other counts.

... were instructed to go back behind closed doors and try harder to start a living party on the island.

The vote indicated a single bold.
11 1/2

It is noted that testimony of a witness is made as they are used in the "reconstruction".

Prosecutors maintained that Karpis had killed Barker while negotiating the Panayon over contracts.

DeCoursey

They were concerned if awarded the long-term renovation business of Judge James C. Cabens, let the city read the testimony of Jeffrey Albrecht, who testified early in the trial about his work as an aide to Cabens and for the House Government Oversight and Reform Committee.

Lukers, or "Madison", and the committee were central to four of the 16 counts against Ha haan.

The government alleged that Krishack gave Lukens \$5,300 in 1969 and 1980 in hopes of buying access to that committee.

Lukens was a member of the Executive Committee. He also was a member of the

Brishack testified that he got Lukens money because he felt sorry for him and not because he wanted to get his

Lukers had been convicted in

... of ... to ...
... for ...
... of ...

the two activities in the 1940s. The
primary and secondary re-
sults of the primary and secondary re-
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the fact that the "Hague Convention" was signed in 1907, and the "Hague Convention" was signed in 1907, and the "Hague Convention" was signed in 1907.

[illegible]

The former congressional aide also said he recalled Lukens expressing an interest in Krivack's fight with the Pentagon.

As jurors discussed the evidence, Kirschack reed, paced and watched federal agents haul away boxes of documents that had not been pro-

He said he watched Jerry "in a
silently when they were on their
way to lunch, trying to place
their thoughts, something to do
over and what else they wish
to do."

He was a very good man
and a very good man
and a very good man
and a very good man

Mount Carmel Church, 1900-1901
Back aid

58D-WF-172862-195

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FBI — WASH. METRO FIELD OFFICE

Cleveland Plain Dealer

7/6/94

Character witnesses

defend

52D-WF-1728

next

former Pentagon contractor

By KATHERINE RIZZO
Staff Writer

ALEXANDRIA, Va.

Character witnesses said they had known Rep. Donald Lukens since he was a child in the Washington area. They said they were surprised to hear he was a former Pentagon contractor.

The witnesses, who are mostly former friends of Lukens, said they were surprised to hear he was a former Pentagon contractor.

They said they were surprised to hear he was a former Pentagon contractor.

They said they were surprised to hear he was a former Pentagon contractor.

The defense introduced evidence that employees gave money to Ohio congressmen, but not to Rep. Donald Lukens, a Republican formerly of Middletown.

One witness, who lives in the Cleveland area, said she had heard Lukens was a former Pentagon contractor.

Other witnesses were asked to recall whether Lukens had given money to other congressmen, but not to Lukens, a Republican formerly of Middletown.

The defense introduced evidence that employees gave money to other congressmen, but not to Lukens, a Republican formerly of Middletown.

Terry Reid of Washington, who worked in Lukens's office, said he had heard Lukens was a former Pentagon contractor.

Reid said Lukens had raised tickets for friends and employees, and said he had heard of Lukens's former Pentagon work.

Reid said Lukens had raised tickets for friends and employees, and said he had heard of Lukens's former Pentagon work.

A former of Lukens said he had heard Lukens was a former Pentagon contractor.

He said he had heard Lukens was a former Pentagon contractor.

He said he had heard Lukens was a former Pentagon contractor.

Another witness said he had heard Lukens was a former Pentagon contractor.

He said he had heard Lukens was a former Pentagon contractor.

He said he had heard Lukens was a former Pentagon contractor.

He said he had heard Lukens was a former Pentagon contractor.

He said he had heard Lukens was a former Pentagon contractor.

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Cleveland Plain Dealer

7/2/94

Ohio contractor vouched for in U.S. fraud trial

By KATHERINE RIZZO
ASSOCIATED PRESS

ALEXANDRIA, Va.

Jurors in the fraud and bribery trial of former Portneuf contractor Edward Krusack were exposed Thursday to the squalor of the defendant and the harsh realities of his life.

The left side came in to it
mean while the right side
leaves who will be the
first to get away about 10 miles
carbons and a partner started
Hick (recovered) the other
they kept it off at their usual
get back

"We lacked in the material fund and we lacked in the things that we had, but we had our life insurance, and God was we needed to do a little business. I don't know. That's all I said."

Steven J. Weinberg, a Cleveland resident, told the jury that when he was starting his own manufacturing business, he borrowed \$100,000 from the bank. The bank then struggled and wanted the hard-earned payment to the bank. He did not pay and, hence, he stopped paying, he testified.

[illegible]

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Ohio Contractor Acquitted

■ The president of an Ohio construction company was acquitted yesterday by a federal jury in Alexandria of charges he illegally gave \$5,500 to

a congressman in an attempt to win back a contract to refurbish offices at the Pentagon.

Edward R. Krishack, 57, wept as the verdicts were read in U.S. District Court. He and his company, Holk Development Inc., were found not guilty after a three-week trial on 16 felony counts, including conspiracy, giving gratuities to a public official, submitting false claims for government work, obstructing justice and misapplying employee pension funds.

Prosecutors said Krishack instructed employees to give \$5,500 in 1989 and 1990 to Donald E. "Buz" Lukens, who at the time was a Republican congressman from Ohio. In return, the prosecutors alleged that Lukens was to help Krishack win back a Pentagon contract that Krishack's firm had lost in 1989.

Lukens, of Middletown, Ohio, was not charged in the case. Krishack contended he did nothing improper and that the money was merely lent to Lukens, who at the time was in the midst of a sex scandal that led to his resignation. Krishack's company never won back the Pentagon work.

Krishack, of Wickliffe, Ohio, a Cleveland suburb, also denied the other charges in two days of testimony.

During the late 1980s, the company completed more than 1,000 government projects worth roughly \$23 million.

"It's been a long fight," Krishack said as he left the courthouse. He said the government's actions were "mind-boggling" and ruined his business.

58D.WF-172862-199

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☒ UNCLAS

Date 8/19/94

FM FBI WMFO (58D-WF-172862) (P) (C-20)

TO DIRECTOR FBI/ROUTINE/

BT

UNCLAS

CITE: //3920//

PASS: PCU, CID.

SUBJECT: ET AL; CFPO-FEDERAL BRIBERY; OO: WMFO.

CAPTIONED INVESTIGATION WAS A JOINT INVESTIGATION WITH THE DEFENSE CRIMINAL INVESTIGATIVE SERVICE OF HOLK DEVELOPMENT, INC. (HDI), AND ITS PRESIDENT, WHO WAS CHARGED IN A 16 COUNT INDICTMENT WITH CONSPIRACY, GIVING GRATUITY TO A PUBLIC OFFICIAL, FALSE CLAIMS, OBSTRUCTION OF JUSTICE, AND PENSION FRAUD. CHARGES HAD ARISEN OUT OF HDI CONTRACTS FOR CONSTRUCTION WORK PERFORMED AT THE PENTAGON IN ARLINGTON, VA.

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FOX DATE & TIME OF ACCEPTANCE: 8/22/94 10:54

^PAGE 2 WMFO (58D-WF-172862) UNCLAS

ON 7/14/94, [REDACTED] WAS ACQUITTED ON ALL 16
COUNTS CHARGED IN THE INDICTMENT. SAUSA [REDACTED] WHO
PROSECUTED THE CASE, HAS ADVISED THAT THERE IS NO INTENTION TO
PURSUE PROSECUTION OF OTHER POSSIBLE TARGETS OF CAPTIONED
INVESTIGATION.

THIS CASE IS THEREFORE BEING CLOSED.

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b7C

BT



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

1900 Half Street
Washington D. C. 20535

September 12, 1994

[REDACTED] ET AL;
CFPO - FEDERAL BRIBERY - OTHER

This investigation was initiated upon a request from the Eastern District of Virginia (EDVA) United States Attorney's Office for the Federal Bureau of Investigation (FBI) to assist in a pending investigation by the Defense Criminal Investigative Service (DCIS) regarding allegations of bribery of a Pentagon official, non-campaign payments to one or more Congressmen, falsification of Government contract documents and other illegal acts.

On April 5, 1994, a Federal Grand Jury returned a sixteen count indictment against [REDACTED] in captioned matter. Offenses charged were Conspiracy, Giving Gratuity to Public Official, False Claims, Obstruction of Justice, and Theft or Embezzlement from Pension Fund. An arrest warrant was issued and [REDACTED] was subsequently arrested on April 7, 1994, at his residence, [REDACTED] Wickliffe, Ohio, by the Cleveland Division.

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On June 21, 1994, trial began in the United States District Court for the EDVA, Judge James C. Cacheris presiding. The Government was represented by Special Assistant United States Attorney, (SAUSA) [REDACTED] and Chief of the Criminal Division for the EDVA, [REDACTED]. On July 14, 1995, the jury returned a verdict of acquittal on all sixteen counts.

SAUSA [REDACTED] advised that there was no intention, on the part of the EDVA, to pursue prosecution of other potential targets of this investigation, including former U.S. Congressman DONALD EARL LUKENS, HDI vice president [REDACTED] and HDI personnel director, [REDACTED].

b6
b7C

Therefore this investigation is being considered closed.

Dissem. to: SBA
Dissem. on: 5-2-05
Reg. Rec'd: 12-3-03
Dissem. by: KW

58D-WF-172862 -
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FEDERAL BUREAU OF INVESTIGATION
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No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 7

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Page 116 ~ Duplicate

Page 117 ~ b3

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